

BEFORE THE DIVISION OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

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IN THE MATTER OF A TENTATIVE
DECISION TO APPROVE A MINING
AND RECLAMATION PLAN FOR
BMW STONE, INCORPORATED,
SUMMIT COUNTY, UTAH

NOTICE OF TENTATIVE
DECISION TO APPROVE
NO. M/043/021

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THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION,
MINERAL AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS
INTERESTED IN SECTION 21, TOWNSHIP 1 SOUTH, RANGE 5 EAST, SLBM, SUMMIT
COUNTY, UTAH.

Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to approve the Mining and Reclamation Plan for BMW Stone, Incorporated's Brown's Canyon Rock Quarry mining activities will effect the following area: SW/4 NW/4 and NW/4 SW/4, Section 21, Township 1 South, Range 5 East, SLBM, Summit County, Utah.

BMW Stone, Inc. has submitted a permit application to expand their existing small mining operation to a large mine status. The operator will employ the following mining and reclamation techniques on approximately 9.1 acres of land to be affected by the proposed mining operation.

During Operations:

Sandstone is excavated from the ground using a backhoe. Once stone is removed, it is spread out with front end loaders and palletized for sale. Waste material is added to the dump, to be crushed for ground cover (landscape material). All trash and debris is collected and hauled to the county landfill. Warning signs are placed on the crown of the face while mining is in process. There is a fence around the property to keep the public out. The edge of the ephemeral drainage has been lined with large boulders to prevent any impact to this drainage.

After Operations:

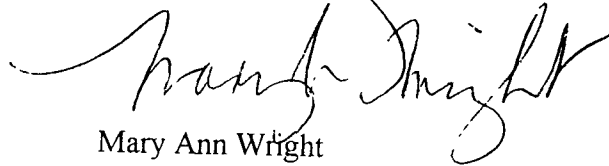
All areas except the access road will be reclaimed. All structures will be removed. All slopes will be regraded to a slope of 3h:1v, or less. There will be no pit or highwall left at the end of mining. Compacted areas will be ripped. One foot of topsoil or other suitable plant growth material will be spread over all disturbed areas (except the access road) and amended with five tons per acre of composted manure. The disturbed area will be broadcast seeded with an approved seed mix that will provide quality cover and forage for grazing and wildlife habitat.

The person representing the company is Mr. Mark Willes, Phone (801) 562-0852. BMW Stone, Inc. is fulfilling obligations under the Utah Mined Land Reclamation Act of 1975, Utah Code Ann. §40-8-18.

Any person or agency aggrieved by this tentative decision to issue approval is hereby requested to submit written protest within thirty (30) days of the date of publication to Mary Ann Wright, Associate Director of Mining, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801, setting forth factual reasons for the complaint. If no responsive written protests are received by the Division within 30 days after the last date of publication, the tentative decision of the Division will be final.

DATED THIS 28th day of April, 2000.

STATE OF UTAH
DIVISION OF OIL, GAS AND MINING

A handwritten signature in black ink, appearing to read "Mary Ann Wright", is written over the printed name and title.

Mary Ann Wright
Associate Director of Mining

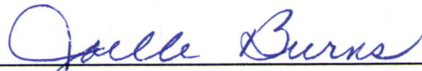
CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Notice of Tentative Approval for BMW Stone Inc.'s Brown's Canyon Rock Quarry project (M/043/021) to be mailed by first class mail, postage prepaid, the 5th day of May, 2000 to:

Note: This notice was originally sent on April 28, 2000 - these addresses were unavailable at that time.

Danforth and Darline Coonradt
1055 East Hyland Lake Drive
Salt Lake City, Utah 84121

Ken Garff
531 South State Street
Salt Lake City, Utah 84111-3521



Joelle Burns, Secretary